

Statutes of California

1931

CONSTITUTION OF 1879

AS AMENDED

MEASURES SUBMITTED TO VOTE OF
ELECTORS

1930

GENERAL LAWS, AMENDMENTS TO CODES,
RESOLUTIONS AND CONSTITUTIONAL
AMENDMENTS

PASSED AT THE

REGULAR SESSION OF THE FORTY-NINTH
LEGISLATURE

1931



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to it a bond, indemnifying said bank from any and all liability, loss, damage, costs and expenses, for and on account of the payment of such adverse claim or the dishonor of the check or other order of the person to whose credit the deposit stands on the books of said bank; provided, that this section shall not apply in any instance where the person to whose credit the deposit stands is a fiduciary for such adverse claimant, and the facts constituting such relationship, as also the facts showing reasonable cause of belief on the part of the said claimant that the said fiduciary is about to misappropriate said deposit, are made to appear by the affidavit of such claimant.

New
section

SEC. 22. A new section is hereby added to said act to be numbered 136c, to read as follows:

Liquidation
dissolution
of con-
tracts

Sec. 136c Upon taking possession of the business, property and assets of any bank for the purpose of liquidation, the superintendent of banks shall have authority within six months thereafter to terminate or to adopt any executory contract to which the said bank may be a party, including leases of real or personal property. In the event of termination of any such contract by said superintendent of banks, such termination shall release the said bank and the property and assets thereof in the hands of said superintendent of banks from any liability for future rent or for damages for breach of such contract.

CHAPTER 198.

Stats 1921,
p. 682,
amended.

An act to amend the title of and section 1, as amended, and section 3 of the act entitled "An act to make available for the use of the United States government suitable places in this state for the public defense, and for that purpose authorizing any county or municipal corporation now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereof, acquire by condemnation or otherwise land within the county or municipal corporation, and in consideration of the benefits to be derived therefrom by such county or municipal corporation to convey the same to the United States; conferring on such counties and municipal corporations the power of eminent domain for the purposes of this act, and providing the procedure therefor; granting the consent of the state to such conveyance, and ceding exclusive jurisdiction to the United States over the lands so conveyed," approved May 27, 1921, and to add a new section thereto, to be known as section 5, conferring on any county, city and county, or municipal corporation now or hereafter organized, the power to acquire land within or

without the county, city and county, or municipal corporation, and to convey the same to the United States.

[Approved by the Governor April 24, 1931 In effect August 14, 1931]

The people of the State of California do enact as follows:

SECTION 1. Section 1, as amended, of an act entitled "An act to make available for the use of the United States government suitable places in this state for the public defense, and for that purpose authorizing any county or municipal corporation, now or hereafter organized, to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereof, acquire by condemnation or otherwise land within the county or municipal corporation, and, in consideration of the benefits to be derived therefrom by such county or municipal corporation, to convey the same to the United States; conferring on such counties and municipal corporations the power of eminent domain for the purposes of this act, and providing the procedure therefor; granting the consent of the state to such conveyance, and ceding exclusive jurisdiction to the United States over the lands so conveyed," approved May 27, 1921, is hereby amended to read as follows:

Section 1. Whenever the board of supervisors of any county or the legislative body of any municipal corporation now or hereafter organized in this state shall consider it desirable or expedient to tender to the United States, for the use of the war department or customs and immigration offices or the navy department, any lands within this state, whether within or without any such county or municipal corporation, which may be determined upon by the said board of supervisors or legislative body, such board of supervisors or legislative body may by a four-fifths vote acquire and pay for, out of the general funds such lands as it may determine upon and may improve such lands or improve any lands owned or held by such county or municipal corporation or may convey any lands owned or held by such county or municipal corporation to the United States for the use of the war department or the navy department thereof, or customs and immigration offices or if such board of supervisors or legislative body shall determine that it is desirable for the general welfare and benefit of the people of such county or municipal corporation, and for the interest of such county or municipal corporation, to incur an indebtedness in an amount sufficient to acquire or improve, or both, any such lands, and, in consideration of the benefits to be derived therefrom by such county or municipal corporation, to convey all such lands to the United States to be used by the war department or the navy department or customs and immigration offices of the United States for its use, such county or municipal corporation is hereby authorized and empowered, by and through its said board of supervisors or

Stats 1929,
p 1643

Tender of
land by
county or
city to
United
States

Purchase

Bonds for
purchase

Stats 1901
p 27.

legislative body, to incur an indebtedness evidenced by negotiable bonds of such county or municipal corporation for such purposes in any amount not exceeding for a county the limitation now or hereafter contained in section 4088 of the Political Code; and not exceeding for a municipal corporation the limitation now or hereafter contained in an act entitled "An act authorizing the incurring of indebtedness by cities, townships and municipal corporations, for municipal improvements, regulating the acquisition, construction and completion thereof," which became a law on February 25, 1901, whenever two-thirds of the qualified voters of the county or municipal corporation voting thereon shall vote therefor at any election at which the proposal to incur such bonded indebtedness may be submitted to such electors in the manner provided by law.

Stats 1921.
p 682

SEC. 2. Section 3 of the act cited in the title is hereby amended to read as follows:

Eminent
domain by
county
or city

Sec. 3. The acquisition of land for the use thereof by the war or the navy department, or customs and immigration offices of the United States and all such military or naval purposes as are now or may be then or thereafter authorized or provided by or under any law of the United States is hereby declared to be a public use, and the right of eminent domain is hereby granted and extended to every county and municipal corporation availing itself of the provisions of this act for every purpose of condemnation, appropriation or disposition intended by this act and such county or municipal corporation is hereby authorized and empowered to condemn and appropriate all lands and rights whatsoever necessary or convenient for carrying out the provisions of this act. Such right of eminent domain may be exercised on behalf of such public use in accordance with the provisions of title seven, part three of the Code of Civil Procedure of the State of California.

Stats 1921.
p 682

SEC. 3. The title of the act cited in the title hereof is hereby amended to read as follows:

Title
amended

An act to make available for the use of the United States government suitable places in this state for the public defense or customs and immigration offices, and for that purpose authorizing any county, city and county, municipal corporation now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereof, acquire by condemnation or otherwise land within the state whether within or without such county, city and county or municipal corporation, and in consideration of the benefits to be derived therefrom by such county, city and county or municipal corporation to convey the same to the United States; conferring on such counties, city and county and municipal corporations the power of eminent domain for the purposes of this act, and providing the procedure therefor; granting the consent of the state to such conveyance, and ceding exclusive jurisdiction to the United States over the lands so conveyed.

SEC. 4. A new section is hereby added to the act cited in the title hereof, to be known as section 5, to read as follows:

Sec. 5. This act shall apply to any city and county as well as to any county or municipality in the state, and wherever in this act the term "county" is used, it shall be held to mean and include a "city and county" as well as a "county."

New
section

Definition
of "county"

CHAPTER 199.

An act to amend section 17 of the public utilities act, relating to transportation and rates and charges therefor.

Stats. 1915,
p. 113

[Approved by the Governor April 24, 1931. In effect August 14, 1931]

The people of the State of California do enact as follows:

SECTION 1. Section 17 of the public utilities act is amended to read as follows:

Stats. 1921,
p. 1355

Sec. 17. (a) 1. No common carrier subject to the provisions of this act shall engage or participate in the transportation of persons or property, between points within this state, until its schedules of rates, fares, charges and classifications shall have been filed and published in accordance with the provisions of this act.

Filing
rate
schedules

2. No common carrier shall charge, demand, collect or receive a greater or less or different compensation for the transportation of persons or property, or for any service in connection therewith, than the rates, fares and charges applicable to such transportation as specified in its schedules filed and in effect at the time; nor shall any such carrier refund or remit in any manner or by any device any portion of the rates, fares or charges so specified, except upon order of the commission as hereinafter provided, nor extend to any corporation or person any privilege or facility in the transportation of passengers or property except such as are regularly and uniformly extended to all corporations and persons.

Discrimina-
tion for-
bidden

3. No common carrier subject to the provisions of this act shall, directly or indirectly, issue, give or tender any free ticket, free pass or free or reduced rate transportation for passengers between points within this state, except to its officers, agents, employees, attorneys, physicians and surgeons, and members of their families; to ministers of religions, traveling secretaries of railroad men's religious associations, or executive officers, organizers or agents of railroad employees' mutual benefit associations giving the greater portion of their time to the work of any such association; inmates of hospitals or charitable or eleemosynary institutions, and persons exclusively engaged in charitable or eleemosynary work, and persons and property engaged or employed in educational work or scientific research or in patriotic work when

Passes for-
bidden

Exceptions